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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

THE PEOPLE,

Plaintiff and Respondent,

v.

ROBERT F. MANSUETO,

Defendant and Appellant.

D074485

(Super. Ct. No. SCD267665)

APPEAL from a judgment of the Superior Court of San Diego County, Melinda J. Lasater, Judge. Affirmed.

Sheila O'Connor, under appointment by the Court of Appeal, for Defendant and Appellant.

No appearance for Plaintiff and Respondent.

Defendant Robert Mansueto pleaded guilty to one felony count of practicing dentistry without a license with risk of harm (Bus. & Prof. Code, § 1701.1, subd. (a)), felony grand theft (Pen. Code, § 487, subd.(a)), two misdemeanor counts of practicing

dentistry without a license (Bus. & Prof. Code, § 1701, subd. (f)), and one misdemeanor count of practicing dentistry under a false name (Bus. & Prof. Code, § 1701, subd. (g)).

At the sentencing hearing, the court denied Mansueto's request for probation and sentenced him to a jail term of one year, four months on the misdemeanor convictions, and a split sentence to be served in local custody on the felonies of three years, eight months, with the concluding eight months on mandatory supervision. Mansueto filed a timely notice of appeal.

Appellate counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*). Counsel indicates she has not been able to identify any arguable issues for reversal on appeal. Counsel asks this court to review the record for error as mandated by *Wende*. We offered Mansueto the opportunity to file his own brief on appeal, but he has not responded.

STATEMENT OF FACTS

In light of Mansueto's guilty plea, we need not discuss the procedural background or factual basis of his convictions in great detail.

In the operative amended information, Mansueto was charged with 22 separate offenses involving six different victims. All of the offenses generally involved Mansueto's solicitation of dentistry patients via print advertisements for dental implants. The patients would visit Mansueto in his house in Coronado and he would then drive the patients to perform the procedures in Mexico. Mansueto used to be a licensed dentist, but his license was revoked.

During trial, the trial court granted the prosecution's request to dismiss five counts relating to one of the victims. After several more days of testimony, Mansueto entered into an agreement to plead guilty to five of the offenses in exchange for the dismissal of the other charges and a maximum sentence, to be imposed by the court, of five years to be served in local custody.

Following sentencing, Mansueto appealed but did not request a certificate of probable cause.

DISCUSSION

As we have noted, appellate counsel has stated she has been unable to identify any arguable issue for reversal on appeal. Counsel requests this court to review the record for error pursuant to *Wende, supra*, 25 Cal.3d 436 and *Anders v. California* (1967) 386 U.S. 738 (*Anders*). To assist this court in its review, counsel has identified one possible, but not arguable issues on appeal:

1. "Did the court abuse its discretion when it sentenced Mr. Mansueto to 4 years, 4 months?"

We have reviewed the entire record pursuant to *Wende, supra*, 25 Cal.3d 436 and *Anders, supra*, 386 U.S. 738. We have not identified any arguable issue for reversal on appeal. Competent counsel has represented Mansueto on this appeal.

DISPOSITION

The judgment is affirmed.

O'ROURKE, Acting P. J.

WE CONCUR:

IRION, J.

DATO, J.